IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2186 OF 2005

IN

CONTEMPT PETITION NO.47 OF 1998

IN

SUIT NO.1 OF 1993

1. Fulwantibai Chhaganraj Rathod & others. ...Petitioners.

vs.

1.M.K.Enterprises & others. ...Respondents.

Ms.Y.M.Sidhwa i/b. Mehta & Girdharlal, for Petitioners.

Mr.H.S.S.Murthy i/b. Piyush Shah, for Respondents in support.

CORAM: D.K.DESHMUKH,J.

DATED: 22nd March, 2007.

P.C.:-

By consent of parties, the notice of motion is disposed of in the following terms:-

1. In case the Respondent/defendant nos. 1 and 2 who have taken out this notice of motion have not filed their written statement,

the pleas which have been raised in this notice of motion can be raised by the Respondents/defendants in their written statement. In case the written statement has already been filed, the defendant nos. 1 and 2 are granted leave to amend their written statement for including the pleas which have been raised in this notice of motion. It is clarified that such pleas raised in the written statement shall be considered by the Court at the final hearing of the suit.